IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 11306 of 2004

Between:
Telugu Ranganna S/o. Sanjanna chinna Takur Village, Kalluru Mandal, Kurnool Dist.

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PETITIONER

AND

1 The District Collector, Kurnool Kurnool Dist.
2 the Revenue Divisional Officer, Kurnool , Kurnool District.
3 The Mandal Revenue Officer, Kalluru Mandal, Kurnool Dist.
4 The Mandal Surveyor, Kallur Mandal, Kurnool Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to writ order or direction more particularly one in the nature of writ of Mandamus declare the inaction of the respondents in demarcating the petitioner schedule land and fix the boundaries in S.No.19/B1 for an extent of Ac. 2.94 cents and S.No.19/A1 for an extent of 1.25 cents and S.No.19/B2 for an extent of 0.32 cents i.e., total extent of 4.48 cents situated in Chinnatekur village, Kalluru Mandal, Kurnool District in spite of paying necessary fee for demarcate the land to the respondents and in not taking any action against his representations Dt. 10/5/2004 and 10.6.2004 is illegal, arbitrary and contrary to law and violation of Art. 14.21 and 200 A of Constitution of India and consequently direct the respondents to take necessary steps to demarcate the petitioner's schedule land fix the boundaries forthwith.

Counsel for the Petitioner: MR.P.JAGADISH CHANDRA PRASAD

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction on the part of the respondents even though representations dated 10.05.2004 and 10.06.2004, were made to third respondent apart from paying the necessary fee for making necessary survey and demarcating the petitioner's lands situated in Survey No.19/B1 in an extent of Ac.2.94 cents, in Survey No.19/A1 in an extent of Ac.1.25 cents and in Survey No.19/B2 in an extent of Ac.0.32 cents totaling Ac.4.48 cents of land in Chinnatekur village, Kallur Mandal, Kurnool District.

2. According to the petitioner, as there is dispute with reference to the petitioner's land and the neighbouring lands, civil proceedings have been initiated and still they are pending. However, pending adjudication of the said civil proceedings, the petitioner sought to demarcate his land with the assistance of Mandal Surveyor. Therefore, the petitioner has approached third respondent with representations dated 10.05.2004 and 10.06.2004 by paying necessary fee for demarcation. But, however, the grievance of the petitioner is that respondents 2 and 3

are not taking any steps to comply with his request by ordering and carrying on the survey to demarcate his land. Hence, the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

4. In view of the representations made by the petitioner dated 10.05.2004 and 10.06.2004, third respondent is directed to consider the said representations of the petitioner and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order, if not already passed to carry out the survey and demarcation of the petitioner's land. In the process of survey, if ordered by the third respondent, if the petitioner's neighbours are going to be affected, it is open to fourth respondent to issue notice to them and carry on the survey for demarcation of the petitioner's land.

5. Accordingly, the writ petition is disposed of. No costs.

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06.07.2004

VGB

To

1 The District Collector, Kurnool, Kurnool Dist.
2 The Revenue Divisional Officer, Kurnool, Kurnool District.
3 The Mandal Revenue Officer, Kalluru Mandal, Kurnool Dist.

4 The Mandal Surveyor, Kallur Mandal, Kurnool Dist.
5 Two CCs to the Govt. Pleader for Home, High Court Buildings, Hyderabad (OUT)
6 Two CD copies.